(II)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the State Emblem of India (Prohibition of Improper Use) Bill, 2005, as passed by Lok Sabha at its sitting held on the 6th December, 2005."

Sir, I lay a copy each of the Bills on the Table.

MATTERS RAISED WITH PERMISSION (Contd.)

Reported punishment of scooping out the eye of an Indian National working in Saudi Arabia.

SHRI N.K. PREMACHANDRAN (Kerala): Mr. Chairman, Sir, I would like to raise a very serious matter of grave concern which requires immediate and urgent intervention of the Government of India, especially, the Ministry of External Affairs.

Sir, Noushad an Indian National is working in Dammam for the last ten years. Recently, the General Shari'a Court at Dammam had passed a sentence, ordering the left eye of Mr. Noushad to be scooped out as a punishment for allegedly assaulting a Saudi National and blinding him in the left eye. Sir, actually, the incident took place on 1st April, 2003, and, it is being reported that Noushad reached in self-defence when a quarrel took place between him and a Saudi National.

(MR. DEPUTY CHAIRMAN *in the Chair*)

Now, the matter is pending before in the Court of Appeals at Riyadh. The hon. Appellate Court has directed the Saudi National, who is the Complainant in this case, to consider whether Noushad could be pardoned. So, Sir, it is right time for the intervention of the Ministry of External Affairs so that this punishment can be avoided. I know that the Ministry of External Affairs has already taken steps in order to intervene in the matter. So, I would like the Ministry of External Affairs, Government of India to intervene in the matter.

Moreover, Sir, he is the only breadwinner in his family. He is having a wife and two children. Therefore, I request the Government of India to take urgent steps to contact our Mission over there and help the poor breadwinner of the family.

SHRI RAVULA CHANDRA SEKAR REDDY (Andhra Pradesh): Sir, I associate myself with the matter raised by the hon. Member.

SHRI P.G. NARAYANAN (Tamil Nadu): Sir, I also associate myself with this issue.

MR. DEPUTY CHAIRMAN: Shri V. Narayanasamy. ...(*Interruptions*)...

SHRI A. VIJAYARAGHAVAN (Kerala): Sir, with regard to this, the Government has intervened ...(*Interruptions*)...What have they intervened so far? That is the thing. Naturally, the answer is to be given by the Government. ...(*Interruptions*)... They have to respond what they are doing. ...(*Interruptions*).

SHRI V. NARAYANASAMY (Pondicherry): Sir, it is a matter of grave concern. Already my friend ...(*Interruptions*)... This issue is not related to a single individual only, but it is related to the whole country. Now, because all the hon. Members from Kerala are agitated, we want the Government ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Even the entire House is agitated.

SHRI V. NARAYANASAMY: Sir, we want the hon. Prime Minister to intervene in the matter and see that he is relieved from the punishment.

SHRI A.K. ANTONY (Kerala): Sir, it is a matter of serious concern, as he has said ...(*Interruptions*)... This is creating a lot of emotions in Kerala. Already, the Chief Minister of Kerala has taken up the matter with the Prime Minister. My request is that the Prime Minister and the Government may intervene quickly. Otherwise, if something happens, it will be a great tragedy. So, I seek an immediate intervention by the Prime Minister.

श्री एस॰ एस॰ अहलुवालिया (झारखण्ड): उपसभापति महोदय, श्री एन॰ के॰ प्रेमचन्द्र ने नौशाद जी के बारे में जो मुद्दा उठाया है, मैं अपने को इससे सम्बद्ध करते हुए यह कहना चाहता हूं कि दम्माम के जनरल सरिया ने आंख के बदले आंख निकालने का जो फैसला दिया है, यह अपने आप में एक दुर्भाग्यपूर्ण फैसला है। अबू सलीम को पुर्तगाल से लाते वक्त भारत सरकार को वहां लिखकर देना पड़ा था कि हम अबू सलीम को सजाए मौत नहीं सुनाएंगे, तब वहां से उनको छोड़ा गया था। भारत सरकार को भारतीय नागरिकों की सुरक्षा के लिए सऊदी अरब के बादशाह अबदुल्लाह को इसकी मर्सी पिटीशन करनी चाहिए और उनको छुड़ाकर लाना चाहिए, यही मेरा आप से आग्रह है।

SHRI SU. THIRUNAVUKKARASAR (Madhya Pradesh): Sir. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Yes, yes, you are associated. ...(*Interruptions*)...

SHRI SU. THIRUNAVUKKARASAR: Sir, as per the law of that country, the King has the power to reduce the punishment. So, the Government should talk to the King and the punishment should be reduced.

SHRI VAYALAR RAVI (Kerala): Sir, while associating myself with this issue, which has again developed in Kerala—I would not repeat the words—I would say, immediate intervention of the Government of India is inevitable. Meanwhile, I request the hon. Minister of State of External Affairs, who is sitting here, to tell us to what he has done so far.

PROF. P.J. KURIAN (Kerala): Sir, let me also ...(*Interruptions*)..

MR. DEPUTY CHAIRMAN: Yes, yes, ...(*Interruptions*)... I will see that all the Members from Kerala are associated. When the House ...(*Interruptions*)...

SHRI RAVULA CHANDRA SEKAR REDDY: Entire House is associated, Sir. ...(*Interruptions*)...

PROF. P.J. KURIAN: Sir, I will try to associate myself. My only request is that the Prime Minister should get in touch with the ruler of Saudi for intervention. ...(*Interruptions*)... The Prime Minister should get in touch with the ruler of Saudi. That is my entire request. Thank you.

MR. DEPUTY CHAIRMAN: Okay, okay, the Minister wants to respond.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMMED): Hon. Deputy Chairman, Sir, the Government very much understand, appreciate and realise the concern expressed by the hon. Members. May I just make a brief statement on this matter, as I have been given notice by the hon. Member, Mr. Premachandran? Attention of the Government has been drawn to the reports that an eye of an Indian national, Mr. Abdul Lateef Naushad, has been ordered by a Saudi court be gouged out. The case, in brief, as reported, is that, on April 1, 2003, when Mr. Naushad was working in the Delta Petrol Station, Dammam, Saudi Arabia, a Saudi national, Mr. Naif Al-Otaibi, came to buy a battery charger.

In spite of the fact that it had been clearly conveyed to him that the charger once sold would not be taken back, the Saudi national, after some time, brought back the charger and demanded the money he had paid for it. When Mr. Naushad refused, an argument ensured. The Saudi then forcefully tried to take out money from Mr. Naushad's pocket, and in the scuffle, the Saudi national's eye got injured.

Mr. Naushad was arrested by the Police. The injured eye of the Saudi national was examined by the doctors who reported that he had lost his eyesight. After the trial, the Dammam Court issued a verdict that the right eye of Mr. Naushad should be taken out as demanded by the Saudi victim as a *quid pro quo* for losing his eyesight.

Our Ambassador in Saudi Arabia has since taken up the matter through a Mercy Petition submitted to His Majesty King Abdullah bin Abdulaziz Al-Saud pointing out that the Indian national did not hurt the Saudi national's eye intentionally and this was an unfortunate mishap during the scuffle. The person responsible for starting the scuffle was not the Indian national, and the reason for this unfortunate incident was the insistence by the Saudi victim for the return of the money he had paid for the battery charger. Similar Mercy Petitions are also being submitted to the Governor of Dammam and the Governor of Riyadh. Taking into account our good relationship, which the Saudi Government and India are maintaining, and also the presence of a very large number of Indian community in Saudi Arabia, we hope, Sir, that its outcome will be a successful one. We are doing our best in the matter.

MR. DEPUTY CHAIRMAN: Now, let us ...(*Interruptions*)

SHRI A. VIJAYARAGHAVAN: What happens to the request of the Kerala Chief Minister? (*Interruptions*)

MR. DEPUTY CHAIRMAN: Now, the Bill for introduction. (*Interruptions*)

SHRI E. AHAMMED: Sir, the Chief Minister, as a matter of fact, has been trying to contact me when I was not here. As soon as I reached from Kabul yesterday, he himself communicated...(*Interruptions*)... everybody ...(*Interruptions*)... Why should we just segregate it? This is the concern not only of the Kerala State, but also of the whole country....(*Interruptions*) And the Government have taken into ...(*Interruptions*)...

SHRI A. VIJAYARAGHAVAN: Sir, it was reported that the Chief Minister of Kerala has contacted the Government of India. Now, he is telling that...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: The Government of India is replying. (*Interruptions*) No clarifications. (*Interruptions*) On this, there will not be any clarifications. (*Interruptions*)

SHRI E. AHAMMED: Sir, he has ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: No.

SHRI E. AHAMMED: The Prime Minister's Office...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Now, the Bill for introduction—The Carriage by Road Bill, 2005, Shri T.R. Baalu to...(*Interruptions*)...

SHRI NILOTPAL BASU (West Bengal): Sir, all..(*Interruptions*)

MR. DEPUTY CHAIRMAN: Mr. Nilotpal Basu, please. (*Interruptions*)

SHRI NILOTPAL BASU: Sir, all shades of opinion within the Kerala congress...(*Interruptions*)...Time and again, they get the time to ask for clarification and now...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Let it not be...(*Interruptions*)...

SHRI NILOTPAL BASU: The Chief Minister of Kerala has made certain points to the Government of India, and the Government of India does not know..(*Interruptions*).. and the issue is not clarified...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Where is the controversy? (*Interruptions*) Mr. Nilotpal Basu, what is the controversy? (*Interruptions*) What is the controversy? (*Interruptions*)

SHRI NILOTPAL BASU: Sir, all shades of opinion within the Kerala Congress...(Interruptions)... They get the change to make their points as to what the Chief Minister of Kerala...(*Interruptions*)... and he cannot answer. What is this, Sir?

श्री एस॰ एस॰ अहलुवालिया: वह सिर्फ केरल का नागरिक नहीं है...(व्यवधान)... वह भारत का नागरिक है...(व्यवधान)... पूरे भारतीयों को उससे संवेदना है, पूरे भारत की तरफ से मैसेज जाना चाहिए...(व्यवधान)...अभी ...(व्यवधान)...केरल के मुख्यमंत्री ने जो कहा ...(व्यवधान)... वही फैसला होगा...(व्यवधान)...

SHRI E. AHAMMED: Sir, I want to make it abundantly clear...(*Interruptions*)...

SHRI A. VIJAYARAGHAVAN: Sir, this is regarding a poor man. ...(*Interruptions*)...

SHRI JANARDHANA POOJARY (Karnataka): Sir, this is ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: What is the controversy about it? (*Interruptions*) What is the controversy? (*Interruptions*) The Minister wants to say something. (*Interruptions*)

SHRI S.S. AHLUWALIA: But UPA partners are ...(*Interruptions*)... of Kerala. (*Interruptions*)

MR. DEPUTY CHAIRMAN: The Minister wants to say something. Please, listen to him. (*Interruptions*) Whatever you say. ...(*Interruptions*)...

SHRI NILOTPAL BASU: They are asserting their, policies. Each one of them is representing different opinion. They have to shout .(*Interruptions*) the people of Kerala.

MR. DEPUTY CHAIRMAN: He is a Minister. (*Interruptions*)

SHRI NILOTPAL BASU: And when we ask for ...(*Interruptions*)... therefore, we are politicising. (*Interruptions*) We will not accept it.

MR. JANARDHANA POOJARY: Sir, ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: Mr. Nilotpal Basu, he is a Minister. He is replying. Mr. Poojary, I am already saying ...(*Interruptions*)...

SHRI S.S. AHLUWALIA: The UPA is surviving on the legs of the CPM... (*Interruptions*)...

THE DEPUTY CHAIRMAN: You see, this is not a suo moto statement. This is a demand. On a demand of the hon. Members, he has made a statement. On that, the rules are very clear that no clarification can be sought when the Minister makes a statement on a demand. It is only a reaction. On that, I can't start a new debate. So, whatever the Minister wants to say, let him say, and thereafter, this matter ends.

SHRI E. AHAMMED: Sir, I would like to clarify the position and dispel the impression created by the hon. Members' observations. It is true that

whatever is happening in Kerala, whether it is Maniappan's case, whether it is Naushad's case, the Chief Minister will be taking up the matter with the Prime Minister, with a copy to out Ministry. He has been doing it. The Prime Minister means, the Government of India; the Chief Minister means, the Government of Kerala, and whatever I say, it is on behalf of the Government of India, and wherever it is given to the Prime Minister, why are the hon. Members just segregating it? ... (*Interruptions*)...I do not understand ...(*Interruptions*)...

SHRI RUDRA NARAYAN PANY (Orissa): Sir, the Prime Minister is not the Government of India. The Chief Minister of Kerala is not the Government of Kerala... (*Interruptions*)...

MR. DEPUTY CHAIRMAN: Nothing will go on record.

GOVERNMENT BILLS

The Carriage by Road Bill, 2005

THE MINISTER OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS (SHRI T.R. BAALU): Sir, I beg to move for leave to introduce a Bill to provide for the regulation of common carriers, limiting their liability and declaration of value of goods delivered to them to determine their liability for loss of, or damage to, such goods occasioned by the negligence or criminal acts of themselves, their servants or agents and for matters connected therewith or incidental thereto.

The question was put and the motion was adopted.

SHRI T.R. BAALU: Sir, I introduce the Bill.

The Punjab General Sales Tax (as in force in the Union Territory of Chandigarh) Repeal Bill, 2005

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY): Sir, I beg to move:

> "That the Bill to repeal the Punjab General Sales Tax Act, 1948, as in force in the Union Territory of Chandigarh, as passed by Lok Sabha, be taken into consideration."